

Modavox v. Tacoda, Civ. # 07-7088 (CM)(GWG)
Jointly Proposed Case Schedule

Parties' Proposed Dates	
11/30/07	Rule 16 FRCP conference
12/7/07	Parties to discuss Protective Order
12/19/07	Plaintiff's preliminary disclosure of asserted claims and infringement charts identifying allegedly infringing product and basis for infringement (for settlement purposes only)
1/18/08	Defendant's preliminary invalidity contentions and charts (for settlement purposes only)
February 2008	Meet and confer between the parties regarding settlement and mediation (exact date to be decided at parties' convenience)
3/14/08	Rule 26(f) FRCP initial disclosures
4/21/08	All applications to amend pleadings or amendments as of right shall be made, and any additional parties joined, by April 21, 2008
7/25/08	Exchange of proposed terms and claim elements for construction
8/15/08	Exchange of preliminary claim construction and extrinsic evidence
9/15/08 9/19/08	Meet and confer between the parties to discuss Markman issues
9/26/08	Completion of claim construction related discovery
10/17/08	Opening claim construction briefs
10/31/08	Opposing claim construction briefs
11/14/08	Reply claim construction briefs

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Parties' Proposed Dates	
11/24/08 – 11/26/08	Claim construction hearing, before Thanksgiving on 11/27/08
20 days from CC ruling	Plaintiffs FINAL infringement contentions and chart due (amendable only by Order of Court)
40 days from CC ruling	Defendant's FINAL invalidity contentions and chart due (amendable only by Order of Court)
45 days from CC ruling	Fact discovery cut-off (and filing of non-dispositive discovery motions)
75 days from CC ruling	Parties to serve expert reports and experts CV for which they bear burden of proof
105 days from CC ruling	Parties to serve rebuttal expert reports
135 days from CC ruling	Expert discovery closes
165 days from CC ruling	Filing of dispositive motions/summary judgment motions by December 1, 2008
185 days from CC ruling	Counsel shall meet and confer regarding pretrial preparation (at least 45 days before pretrial conference)
205 days from CC ruling	Joint Pretrial Statement due (including action, factual basis for action, disputed legal issues, joint set of jury instructions, exchange of exhibits, etc.)
215 days from CC ruling	Last day to file objections to evidence/exhibits
225 days from CC ruling	Last day to file response to objections to evidence/exhibits
230 days from CC ruling	Pre-Trial Conference (subject to Court calendar)
245 days from CC ruling	Trial ready date or 30 days after denial of dispositive motions (subject to Court calendar)

11/30/07